IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 16344 of 2006

Date of Decision: 13.10.2006

Kuldeep Singh ... Petitioner

Versus

State of Punjab and others. .. Respondents

Coram : Hon'ble Mr. Justice J.S. Khehar,
Hon'ble Mr. Justice S.D. Anand.

Present : Mr. Shiv Kumar, Advocate,
for the petitioner.

J.S. Khehar, J.(Oral)

The father of the petitioner died on 9.8.2000 in harness while working as a Constable in the Police Department of the State Government. The petitioner represented to the authorities requiring them to appoint him on compassionate grounds under the ex-gratia scheme of the State Government. The representation made by the petitioner was rejected in the first instance on 18.8.2004 and thereafter, on 8.2.2005. The pleadings disclose that the claim of the petitioner for appointment on compassionate grounds, was declined on the ground that he was ineligible for appointment as a Constable. It is, therefore, apparent that there is no justification whatsoever for amending the earlier orders passed in 2004 and 2005 whereby, the claim of the petitioner for compassionate appointment was declined.

Even if the petitioner has now attained eligibility for appointment for the post of Constable, his claim for compassionate grounds

cannot be considered under the ex-gratia scheme, as the father of the petitioner died more than 6 years, before the filing of the instant writ petition (on 9.8.2000).

Appointment on compassionate grounds under the ex-gratia scheme is to overcome the extreme financial hardships emerging out of the sudden death of an employee in harness. The aforesaid circumstances must be deemed to have ceased to exist in the present case after 6 years of the death of the petitioner's father.

Dismissed.

(J.S. Khehar)
Judge

October 13, 2006 (S.D. Anand)
vkd Judge